

October 7, 2005

STB Ex Parte No. 658,

Vernon A. Williams, Secretary  
1925 K Street, N.W.,  
Washington, DC 20423-0001

Good Day,

I am writing to request the opportunity to speak before the Board at its upcoming hearing on the impact, the effectiveness, and the future of the Staggers Rail Act of 1980 (Staggers Act). I appreciate Commissioner Mulvey for suggesting that my testimony would be appreciated.

I have invested the last twelve years of my business life toward promoting an expansion of the rail industry's contribution to a balanced transportation system. I have coordinated financing for freight rail projects in 22 states. All the while, the rail industry has continued to lose market share as demand for freight transportation steadily increases. I wish to speak to the continued opportunity we have to dramatically increase North America's utilization of freight rail transportation. This growth can be caused by 1) adoption of a short- and long-term rail industry business growth strategy, 2) the creation of an intellectually sound, multi-discipline, multi-party council for teasing out new approaches to old industry stumbling blocks to its advancement, and 3) increased coordination of public-sector and private-sector financial and business development resources.

I would make my statement in 8-10 minutes. I will submit the full text of my remarks by the 12<sup>th</sup>. Thank you very much for holding this hearing and for the opportunity to speak.

Sincerely,

Michael Sussman

Michael Sussman  
President